

# **EXHIBIT 35**

S6980

## CONGRESSIONAL RECORD—SENATE

July 21, 2008

October 31, 2008. Senate passage is an important first step to ensure this does not happen.

The U.S. Parole Commission is responsible for granting or denying parole for incarcerated Federal and DC prisoners who were sentenced before the Federal and DC governments abolished parole. The Commission was created and empowered to consider the requests of these "old law" Federal and DC inmates, but it also has jurisdiction over DC offenders who are on supervised release from prison.

Originally slated to expire in 1992, Congress has extended the life of the Commission four times. Another extension is necessary to ensure the orderly administration of the law, and to avoid the risk of premature release of offenders. If the authorization lapses, the law requires the Commission to set release dates for all parole-eligible Federal prisoners. In addition, there is no mechanism to handle DC parolees who are on supervised release from prison.

A limited extension will avoid these potential problems, and will give the Justice Department time to evaluate whether any changes to the Commission are necessary.

I urge the House to work quickly to pass this bill and send it to the President so that it can be effective before the Commission's authorization expires in October.

Mr. DURBIN. I ask unanimous consent the bill be read three times and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3294) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3294

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Parole Commission Extension Act of 2008".

## SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.

For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98-473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to "21 years" or "21-year period" shall be deemed a reference to "24 years" or "24-year period", respectively.

## EXECUTIVE SESSION

## PROTOCOL OF AMENDMENTS TO CONVENTION ON INTERNATIONAL HYDROGRAPHIC ORGANIZATION

## INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT

Mr. DURBIN. I ask unanimous consent that the Senate proceed to execu-

tive session to consider the following treaties on the Executive Calendar: Nos. 10 and 11, and that the treaties be considered as having advanced to the various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee understanding, declaration, or condition be agreed to as applicable; that any statements be printed in the RECORD; and that the Senate take one vote on the resolutions of ratification to be considered as separate votes; further, that when the resolutions of ratification are voted on, the motions to reconsider be considered made and laid on the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The treaties and protocol will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

Mr. DURBIN. I ask for a division vote on the resolutions of ratification.

The PRESIDING OFFICER. A division has been requested.

Senators in favor of the resolutions of ratification of these treaties will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to.

The resolutions of ratification agreed to are as follows:

## TREATIES

[Protocol of Amendments to Convention on International Hydrographic Organization (Treaty Doc. 110-9)]

*Resolved (two-thirds of the Senators present concurring therein),* The Senate advises and consents to the ratification of the Protocol of Amendments to the Convention on the International Hydrographic Organization done at Monaco on April 14, 2005 (Treaty Doc. 110-9).

[International Convention Against Doping in Sport (Treaty Doc. 110-14)]

*Resolved (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent subject to an understanding, a declaration, and a condition.

The Senate advises and consents to the ratification of the International Convention Against Doping in Sport (the "Convention"), adopted by the United Nations Educational, Scientific, and Cultural Organization on October 19, 2005 (Treaty Doc. 110-14; EC 6772), subject to the understanding of section 2, the declaration of section 3, and the condition of section 4.

## Section 2. Understanding.

The advice and consent of the Senate under section 1 is subject to the following understanding, which shall be included in the United States instrument of ratification:

It is the understanding of the United States of America that nothing in this Convention obligates the United States to provide funding to the World Anti-Doping Agency.

## Section 3. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration, which shall be included in the United States instrument of ratification:

Pursuant to Article 2(4), which defines "Athlete" for purposes of doping control as "any person who participates in sport at the international or national level as defined by each national anti-doping organization and accepted by States Parties and any additional person who participates in a sport or event at a lower level accepted by States Parties", the United States of America declares that "Athlete" for purposes of doping control means any athlete determined by the U.S. Anti-Doping Agency to be subject to or to have accepted the World Anti-Doping Code.

## Section 4. Condition.

The advice and consent of the Senate under section 1 is subject to the following condition:

Not later than 60 days after an amendment to either of the Annexes that was concluded in accordance with the specific amendment procedure in Article 34 enters into force for the United States, the Secretary of State shall transmit the text of the amended Annex to the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

## ORDERS FOR TUESDAY, JULY 22, 2008

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, July 22; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to S. 3268, the energy speculation bill, as under the previous order. I further ask that the Senate recess from 12:30 to 2:15 p.m. tomorrow to allow for the weekly caucus luncheons to meet. Finally, I ask that if cloture is invoked, the postcloture debate time from 2:15 p.m. until 6:15 p.m. be equally divided and controlled in 30-minute alternating blocks of time, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. DURBIN. For the information of Senators, shortly after 11 a.m. tomorrow, the Senate will proceed to a roll-call vote on the motion to invoke cloture on the motion to proceed to the energy speculation bill.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:54 p.m., adjourned until Tuesday, July 22, 2008, at 10 a.m.